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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

CHASOM BROWN, WILLIAM BYATT,
JEREMY DAVIS, CHRISTOPHER
CASTILLO, and MONIQUE TRUJILLO,
individually and on behalf of all similarly
situated,

Plaintiffs,

v.

GOOGLE LLC,
Defendant.

Case No. 5:20-cv-03664-LHK-SVK

**JOINT STIPULATION AND ~~PROPOSED~~
ORDER TO EXTEND THIRD PARTY
ERNST & YOUNG LLP'S DEADLINE TO
RESPOND TO SUBPOENA**

Judge: Honorable Susan Van Keulen

Case No. 5:20-cv-03664-LHK-SVK

JOINT STIPULATION AND ~~PROPOSED~~ ORDER TO EXTEND THIRD PARTY ERNST & YOUNG'S
DEADLINE TO RESPOND TO SUBPOENA

1 Pursuant to Civil Local Rules 6-2 and 7-12, this joint stipulation is entered into between
 2 Plaintiffs, Google LLC (“Google”), collectively referred to as the “Parties,” and Third Party Ernst
 3 & Young, LLP.

4 WHEREAS, Plaintiffs served a subpoena on each of the non-party auditors, Ernst & Young
 5 (“EY”), Price Waterhouse Co. (“PwC”), and Promontory Group (“Promontory”) (collectively,
 6 “Third Parties”). All responses and objections were received by October 26, 2021;

7 WHEREAS, Google sought a protective order to prevent Third Parties from producing
 8 documents responsive to the subpoenas. The Parties submitted a joint discovery letter brief on
 9 October 28, 2021. (Dkt. 314);

10 WHEREAS, the Court issued an Order Granting in Part and Denying in Part Defendant's
 11 Motion for Protective Order (Dkt. 335) on November 16, 2021 ordering that the Third Parties
 12 respond to Request No. 6 “limited to communications with Google, and any documents referred to
 13 in those communications, from June 1, 2014 to present, relating to Google’s privacy controls
 14 addressed in the 2011 Consent Decree and Google’s conduct in connection with Incognito and any
 15 other private browsing mode”;

16 WHEREAS, on November 18, 2021, EY contacted Plaintiffs to request additional time to
 17 respond to the subpoena;

18 WHEREAS, given the time needed to upload the data, for EY to review the data that results
 19 from the searches, to allow Google to review the data in advance of the production to screen for
 20 privileged information, the additional two to three days to make the production, and then the
 21 Thanksgiving holiday, need up to, and including, December 7, 2021 to complete the production;

22 WHEREAS, there have been no other extensions or modifications to the Court’s November
 23 16, 2021 Order Granting in Part and Denying in Part Defendant's Motion for Protective Order (Dkt.
 24 335);

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26 \\\

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1 NOW THEREFORE, the Parties stipulate that the date for EY to respond to subpoena
2 pursuant to the November 16, 2021 Order Granting in Part and Denying in Part Defendant's Motion
3 for Protective Order (Dkt. 335) shall be extended from November 30, 2021 to December 7, 2021

4 DATED: November 29, 2021

MORGAN & MORGAN

5
6 By /s/ Ryan J. McGee

Ryan J. McGee

7 *Counsel on behalf of Plaintiffs*

8 DATED: November 29, 2021

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

9
10 By /s/ Jonathan Tse

Jonathan Tse

11 *Counsel on behalf of Google*

12
13 DATED: November 29, 2021

By /s/ Rachelle Navarro

Rachelle Navarro

14 *Counsel on behalf of Ernst & Young LLP*

ATTESTATION OF CONCURRENCE

I am the ECF user whose ID and password are being used to file this Joint Stipulation And [Proposed] Order to Continue Discovery Deadlines. Pursuant to Civil L.R. 5-1(i)(3), I hereby attest that each of the signatories identified above has concurred in the filing of this document

Dated: November 29, 2021

By /s/ Ryan J. McGee

Ryan J. McGee

Counsel on behalf of Plaintiffs

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

CHASOM BROWN, WILLIAM BYATT,
JEREMY DAVIS, CHRISTOPHER
CASTILLO, and MONIQUE TRUJILLO,
individually and on behalf of all similarly
situated,

Plaintiffs,

v.

GOOGLE LLC,
Defendant.

Case No. 5:20-cv-03664-LHK-SVK

~~PROPOSED~~ ORDER

Judge: Honorable Susan Van Keulen

Pursuant to stipulation of the Parties, the Court sets the following case schedule:

The date for EY to respond to subpoena pursuant to the November 16, 2021 Order Granting In Part And Denying In Part Defendant's Motion For Protective Order (Dkt. 335) shall be extended from November 30, 2021 to December 7, 2021.

IT IS SO ORDERED.

DATED: November 30, 2021


Hon. Susan Van Keulen
United States Magistrate Judge